

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ALFRED T. GIULIANO, TRUSTEE,
GRAHAM FIELD, INC., et al.
Plaintiffs,

CIVIL NO. 98-1306 (DRD)

v.

E-1 ENTERPRISES, INC, et al.,
Defendants.

AMENDED JUDGMENT

Pending before the Court is defendant's *Informative Motion* (Docket No. 279) informing the Court that the settlement agreement entered into by the parties have been approved by the United States Bankruptcy Court for the District of Delaware Case No. 99-04457(DDS). The Court notes that the settlement agreement terminates all plaintiffs claims against the defendants and said agreement stipulates the dismissal of all claims as averred in the original complaint and in the subsequent amended complaints against the defendants with prejudice.

The parties have agreed that **ten (10) days** after the execution of the settlement agreement defendants shall pay the amount of **Thirty Thousand Dollars (\$30,000)** to plaintiffs and that a second payment of equal amount shall be paid **within four (4) months thereafter**. Should defendants fail to make the second payment amounting to **Thirty Thousand Dollars (\$30,000)**, E-1 has executed a Confession of Judgment that is attached in the amount of **One Hundred and Fifty Thousand Dollars (\$150,000)**. Further, the Court had agreed that in order to facilitate a settlement agreement amongst the parties the additional amount of **Ten Thousand Dollars (\$10,000)** held as sanctions previously fined to the defendants was to be released and disbursed on plaintiffs' behalf as part of the settlement agreement.

Therefore, the Court pursuant to the Settlement Agreement and under Rule 41(a)(1)(ii) hereby **DISMISSES** all plaintiffs claims against the defendants **WITH PREJUDICE**. The Clerk of Court is **INSTRUCTED** to disburse the amount of **Ten Thousand Dollars (\$10,000)** fined to defendants and deposited at Docket Entry No. 241, Receipt #143284. The Clerk of Court shall issue the check payable to the order of **Alfred T. Giuliano, Trustee in Bankruptcy, in the matter of In re: Graham-Field Health Products, Inc., Case No. 99-04457(DDS)**.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 27th day of September 2005.

S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE